

In re application of:

Kevin L. MILLER

Appl. No.: 10/642,736

Filed: August 19, 2003

For: System and Method for Spectral Shaping of Dither Signals

Confirmation No.: 3801

Art Unit: 2819

Examiner: Mai, Lam T.

Atty. Docket: 1875.3930000

Amendment and Reply Under 37 C.F.R. § 1.111

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated April 20, 2004, (PTO Prosecution File Wrapper Paper No. 20040416), Applicant submits the following Amendment and Remarks. This Amendment is provided in the following format:

- (A) Each section begins on a separate sheet;
- (B) Starting on a separate sheet, amendments to the specification by presenting replacement paragraphs marked up to show changes made;
- (C) Starting on a separate sheet, a complete listing of all of the claims:
 - in ascending order;
 - with status identifiers; and
 - with markings in the currently amended claims;
- (D) Starting on a separate sheet, the Remarks.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent

abandonment of this application, then such extensions of time are hereby petitioned 00000038 10642736

07/16/2004 EABUBAK1 00000038 10642736

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under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.



ATTORNEYS AT LAW



Robert Greene Sterne Edward J. Kessler Jorge A. Goldstein David K.S. Cornwell Robert W. Esmond Tracy-Gene G. Durkin Michael B. Ray Robert E. Sokohl Eric K. Steffe Michael Q. Lee Steven R. Ludwig John M. Covert Linda E. Alcorn Robert C. Millonig Donald J. Featherstone Lawrence B. Bugaisky Michael V. Messinger Judith U. Kim Timothy J. Shea, Jr. Patrick E. Garrett Heidi L. Kraus Albert L. Ferro* Donald R. Banowit Peter A. Jackman Teresa U. Medler Jeffrey S. Weaver Kendrick P. Patterson Vincent L. Capuano Eldora Ellison Floot Wirgil Lee Beaston Kimberly N. Reddick Theodore A. Wood Lizabeth J. Haanes Joseph S. Ostroff Frank R. Cottingham Christine M. Lhulier Rae Lynn Prengaman Jane Shershenovich George S. Bardmesse Daniel A. Klein* Jason D. Eisenberg Michael D. Specht Andrea J. Kamage Tracy L. Muller* LuAnne M. DeSantis John J. Figueroa Ann E. Summerfield Tiera S. Coston Aric W. Ledford* Jessica L. Parezo Timothy A. Doyle* Gaby L. Longsworth* Nicole D. Dretar* Ted J. Ebersole Jyoti C. Iyer* Laura A. Vogel Registered Patent Ag

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*Admitted only in Maryland *Admitted only in Virginia •Practice Limited to Federal Agencies

July 15, 2004

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Art Unit 2819

Mail Stop: Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 10/642,736; Filed: August 19, 2003

For: System and Method for Spectral Shaping of Dither Signals

Inventor:

Kevin L. MILLER

Our Ref:

1875.3930000

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Fee Transmittal Form (PTO/SB/17);
- 2. Amendment and Reply under 37 C.F.R. § 1.111;
- 3. Credit Card Payment Form (PTO-2038); and
- 4. One return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Sterne, Kessler, Goldstein & Fox PLLC. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 f 202.371.2540 : www.skgf.com

Commissioner for Patents July 15, 2004 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Evan R. Smith

Attorney for Applicant Registration No. 35,683

ERS/sjc 286556 1.DOC

PTO/SB/17 (10-03)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

of 1995, no persons are required to res

for FY 2004 Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

Name (Print/Type)

Signature

Evan R. Smith

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C	omplete if Known
Application Number	10/642,736
Filing Date	August 19, 2003
First Named Inventor	Kevin L. MILLER
Examiner Name	Mai, Lam T.
Art Unit	2819
Attorney Docket No.	1875.3930000

Telephone

35,683

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METH	OD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)						
Check	3. A	3. ADDITIONAL FEES							
*Charge any deficiencies or credit any overpayments in			Large Entity Small Entity						
Deposit /	Account: the fees to Deposit Acct. No. 19-0036.	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description			
Account Number	19-0036	1051	130	2051		Surcharge - late filing fee or oath	Fee Paid		
Deposit		1052	50	2052		Surcharge - late provisional filing fee or			
Account Name	Sterne, Kessler, Goldstein & Fox P.L.L.C.					cover sheet			
The Director is	authorized to: (check all that apply)	1053	130 2,520	1053 1812		Non-English specification For filing a request for ex parte reexamination			
Charge fee	(s) indicated below	1804	920*	1804		Requesting publication of SIR prior to			
Charge any	additional fee(s) or any underpayment of fee(s)	1804	920	1004	920	Examiner action			
<u> </u>	(s) indicated below, except for the filling fee entified deposit account.	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action			
to the above-ide		1251	110	2251	55	Extension for reply within first month			
4 04010 51	FEE CALCULATION	1252	420	2252	210	Extension for reply within second month			
1. BASIC FI Large Entity S		1253	950	2253	475	Extension for reply within third month			
Fee Fee 1	Fee Fee Fee Description Fee Paid	1254	1,480	2254	740	Extension for reply within fourth month			
1	Code (\$) 2001 385 Utility filing fee	1255	2,010	2255	1,005	Extension for reply within fifth month			
	2002 170 Design filing fee	1401	330	2401	165	Notice of Appeal			
	2003 265 Plant filing fee	1402	330	2402	165	Filing a brief in support of an appeal			
	2004 385 Reissue filing fee	1403	290	2403	145	Request for oral hearing			
1005 160	2005 80 Provisional filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding			
	SUBTOTAL (1) (\$)	1452	110	2452	55	Petition to revive - unavoidable			
		1453	1,330	2453	665	Petition to revive - unintentional			
2. EXTRA C	CLAIM FEES FOR UTILITY AND REISSU	1501	1,330	2501	665	Utility issue fee (or reissue)			
	Extra Claims below Fee Pai	1502	480	2502	240	Design issue fee			
Total Claims Independent	31 - 34 **= 0 X	1503	640	2503	320	Plant issue fee			
Claims	10 - 4 **= 6 × \$86 = 516.00	1460	130	1460	130	Petitions to the Commissioner			
Multiple Deper		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)			
Large Entity Fee Fee	Small Entity Fee Fee Fee Description	1806	180	1806	180	Submission of Information Disclosure Stmt			
Code (\$)	Code (\$)	8021	40	8021	40	Recording each patent assignment per property (times number of properties)			
1202 18	2202 9 Claims in excess of 20	1809	770	2809	385	Filing a submission after final rejection			
1201 86	2201 43 Independent claims in excess of 3	1				(37 ČFR 1.129(a))			
1203 290	2203 145 Multiple dependent claim, if not paid	1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))			
1204 86	2204 43 ** Reissue independent claims over original patent	1801	770	2801	385	Request for Continued Examination (RCE)			
1205 18	2205 9 ** Reissue claims in excess of 20 and over original patent	1802	900	1802	900	Request for expedited examination of a design application			
Other fee (specify)									
**or number previously paid, if greater, For Reissues, see above *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)									
SUBMITTED BY (Complete (if applicable))									

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Registration No.